

Barton Springs Zone Redevelopment Ordinance

November 8, 2007

A Real Estate Development Perspective

Background on Barton Springs Zone Advisory Group

- Goal = Improve water quality in the Barton Spring Zone
- The group met every other Friday for 15 months
- Numerous Stakeholder groups participated
 - RECA
 - Chamber of Commerce
 - Save Our Springs Alliance
 - Oak Hill Association of Neighborhoods
 - Other environmentalists and community members
 - Landowner Consultants
- Numerous other groups were also invited to attend
ANC, SBCA, Sierra Club

Land in the Barton Springs Zone

- City controlled land in the BSZ is currently either.
 - Already developed
 - Undeveloped but subject to SOS Ordinance
 - Protected as conservation land
 - Very little is undeveloped and subject to less restrictive requirements
 - Developed land with no WQ controls major source of pollution

Consensus Reached by Advisory Group

- Retrofitting existing sites would make a significant contribution to improving water quality
 - Retrofitting should be performed by the private sector on-site
 - Re-development is desirable for Oak Hill area residents
 - Re-development should address the same goals for pollutant removal as the SOS Ordinance
 - Current re-development Ordinance is ineffective as it is not used
 - Benefits of re-development only achieved if landowners utilize the ordinance

Issues Raised by Real Estate Community

- Re-development Ordinance must be affordable – consider costs
- Re-development ordinance must provide for certainty – administrative process

Proposed Re-Development Ordinance

- Will result in better water quality in the BSZ
 - Staff has ample data collected over many years to demonstrate
 - Very high bar is being set
- Will result in better local services to Oak Hill area residents

RECA fully supports the current ordinance:

- However, if Council is going to consider changes, RECA suggests the following to enhance participation in the ordinance:
 - 1 Either eliminate the Council triggers in Section 28-8-27(G)(1) and (4) or modify them so they only apply “*unless such increase is authorized by a zoning change or a neighborhood plan approved after the effective date of the Ordinance*”

2. Reduce the amount in Part 3 for mitigation to *(i) \$10,000 per acre, (ii) increased by 3% each year.*

- Cost should be reduced to encourage owners to use the ordinance
- There are public benefits to the land that is acquired by the City with private dollars
- Historical increases in land prices and current market conditions support a 3% increase

Response to Objections and Other Proposals

- Traffic and increased intensity issues
 - Land use issues that are not addressed by the SOS
 - OHAN understands and proposes to address through neighborhood planning
- Traffic, density, growth and construction impacts are mitigated by the purchase of conservation land
 - Acquisition of conservation land will avoid not only impervious cover and pollutants, but also traffic, sprawl, and new construction at a much higher multiplier than re-development

Environmental Board and Planning Commission Recommendations

- RECA fully supports the immediate initiation of the process to improve construction phasing, E & S controls and enforcement
- A "Pilot Program" approach to this ordinance will unreasonably lock out many potential retro-fitters for years, where it is unnecessary
- Imposing a 1,000 trips per day limitation will result in needless politicization of meritorious redevelopment and will therefore have a chilling effect on redevelopment